



**DEPARTMENT OF PLANNING AND  
COMMUNITY DEVELOPMENT**

**TO: PLANNING COMMISSION**

**FROM: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY  
DEVELOPMENT**

**DATE: APRIL 3, 2008**

**SUBJECT: PUBLIC HEARING ON THE DRAFT HOUSING ELEMENT 2008-2014**

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**I. PURPOSE**

The purpose of this report is to present the City's Draft Housing Element 2008-2014 to the Planning Commission, and to provide the Commission with summary information on the Housing Element. The Planning Commission will be asked to receive public comment on the document, and recommend to the City Council that the Draft Housing Element be forwarded to the State Housing and Community Development Department (HCD) for review and comment.

**II. BACKGROUND**

According to the *State of California General Plan Guidelines* (2003), Housing Element law requires local governments to adequately plan to meet their existing and projected housing needs, including their fair share of the regional housing need (Regional Housing Needs Assessment or RHNA). Housing Element law is the state's primary market-based strategy to increase housing supply. Further, the *Guidelines* state that in order for the private sector to adequately address housing needs and demand, local governments must adopt land use plans and regulatory schemes that provide opportunities for, and do not unduly constrain, housing development for all income groups.

The Housing Element is the only element of the General Plan that the state must certify. The state requires that all cities and counties in California update their Housing Element every five years, and the state established deadline for submittal of the next Housing Element is July 1, 2008. The City's last Housing Element was completed in July 2001, and certified by the state shortly thereafter, finding that the Housing Element met all requirements of state law. Given these mandated timeframes and the certification requirement, updates of Housing Elements by cities and counties usually occur separately from the overall General Plan Update, which has no established requirement for revising. The General Plan Update, currently being undertaken by the City, is projected to be completed by July 2009, will reference the Housing Element in its land use and circulation discussions, ensuring that both documents are consistent.

Ms. Karen Warner of KWA, the City's consultant on the Housing Element, will be present at the

hearing to provide a presentation, and to respond to questions. The following is a summary of the Housing Element, prepared by KWA and City staff:

### **III. SUMMARY OF DRAFT HOUSING ELEMENT**

The purpose of the Housing Element, consistent with the state *Guidelines*, is to: 1) preserve and improve housing and neighborhoods; 2) provide adequate housing sites; 3) assist in providing affordable housing; 4) remove governmental and other constraints to housing investment; and 5) promote fair and equal housing opportunities. It is important to note that the City must identify potential sites appropriate for various types of housing within City boundaries; however, the Housing Element does not require that these housing units actually be constructed. In other words, the City must plan for these units in terms of having available sites that could feasibly be used for housing.

The City's Housing Element consists of the following major (and required) components:

- An analysis of the City's demographic, household and housing characteristics and related housing needs (Section II).
- A review of potential market, governmental, and infrastructure constraints to meeting the City's identified housing needs (Section III).
- An evaluation of residential sites and financial resources available to address the City's housing goals (Section IV).
- The Housing Plan for addressing the City's identified housing needs, constraints and resources, including housing goals, policies and programs (Section V).

Housing Element law requires that each city and county develop local housing programs to meet its "fair share" of existing and future housing needs for all income groups. The Southern California Association of Governments (SCAG) is responsible for developing and assigning these regional housing needs assessments, or "RHNA" to southern California jurisdictions. Pursuant to the RHNA planning period, the City's Housing Element is a six-year plan extending from 2008-2014. As defined by the RHNA, Agoura Hills' fair share target for the 2008-2014 period has been established at 109 new units, distributed among four household income categories of "very low," "low," "moderate," and "above moderate." The following Table 1 shows the maximum household income to qualify under the various categories. Above moderate households are those making above 120 percent Area Median Income (AMI). Attachment 2 is the State Income Limits for 2007, published by HCD, which provides the full range of maximum household incomes by household size for each of the income categories.

**Table 1. Maximum Household Income by Category**

<b>Income Category</b>	<b>% of AMI<sup>1</sup></b>	<b>Max. Income 4-Person HH<sup>3</sup></b>
Very Low	50	\$37,000 <sup>2</sup>
Low	80	\$59,200 <sup>2</sup>
Moderate	120	\$67,800

<sup>1</sup> Area Median Income. L.A. County AMI of \$56,500 in 2007 (Source: 2007 Official State Income Limits – State HCD). <sup>2</sup> Adjusted for high cost areas. <sup>3</sup> This uses household income figures from 2007. The HCD 2008 household income figures were not available prior to completing the Draft Housing Element, but will be made available shortly.

Housing units receiving building permits during the 2006-2007 “gap period” can be credited towards meeting the adequate site requirement of the RHNA for 2008-2014. The following table shows the RHNA numbers broken down by income category, the building permits issued in 2006-07 by income category (and therefore the units being credited toward the RHNA), and the remaining units needed by category to meet the RHNA numbers. As shown in Table 2, of the 109 units that the City must plan for, 11 have been constructed, with 98 more remaining that still need to be planned for within a range of household income categories.

**Table 2. Comparison of Regional Growth Needs (RHNA) and Available Residential Sites in the City**

<b>Income Level</b>	<b>RHNA Target</b>	<b>Building Permits 2006-07</b>	<b>Units Still Need to Plan</b>
Very Low	29	0	29
Low	18	0	18
Moderate	19	0	19
Above Moderate	43	11	32
<b>Total in City</b>	<b>109</b>	<b>11</b>	<b>98</b>

The maximum allowed number of multi-family dwelling units in Agoura Village is 235 (and possibly 58 additional units with density bonus provisions). There are 122 remaining vacant lots in the City, all of which are in the single-family zones or open space zones. Therefore, the Housing Element concludes that there is sufficient capacity available to address the RHNA target of 109 units.

Note that the availability of the sites in Agoura Village, which is within the City’s Redevelopment Project Area, is critical to the City meeting the RHNA requirements. These are the only vacant sites in the City where multi-family units are allowed. Multi-family, as opposed to single family, units provide the most flexibility for the provision of housing for households of all income levels. Without Agoura Village, other portions of the City that are currently zoned single family or open space would likely need to be rezoned to higher densities to meet RHNA targets.

In addition to showing that the City will be able to meet RHNA targets, the Housing Element is

required to demonstrate that there are sufficient parcels currently vacant and/or underutilized on which a developer would be able to construct: 1) transitional housing and emergency shelters; and (2) single room occupancy hotels (SROs). From the City's perspective, this means that a sufficient amount of land must be zoned to allow these types of units when and if there is a desire on the part of a developer to construct them.

In compliance with recent legislation (Senate Bill 2, effective January 2008), all cities in California must identify in their Housing Elements areas for transitional and emergency shelter housing, and must show that there is sufficient capacity to accommodate the shelter need. Moreover, state law requires that such housing be treated the same as any other residential use within the same zone, and cannot be a conditionally allowed use.

Currently in the Zoning Code, such housing is allowed with a conditional use permit (CUP) in the Medium Density Residential (RM), Residential Medium High Density (RMH), and High Density Residential (RH) zones. The Housing Element is proposing to eliminate these provisions in the residential zones, and consider transitional and emergency shelter housing as an allowed use in the Commercial Retail Service (CRS) zone without a Conditional Use Permit (CUP). The CRS zones in the City are mostly located at the eastern end of the City, along the north and south sides of the freeway. Specifically, they run along Canwood Street, Dorothy Drive and Roadside Drive.

At present, the Zoning Code does not specify provisions for Single Room Occupancy (SRO) units. To comply with state law, the Housing Element calls out the Business Park-Office Retail (BP-OR) zone west of Palo Comado Canyon Road as a location where SROs would be allowed with a CUP. This area was selected as the Code currently allows hotels in this portion of the BP-OR zone. The vacant or underutilized areas with this zoning are located mostly along Agoura Road, west of Palo Comado Road.

With regard to goals, policies and programs, the Housing Element has been updated to incorporate the items approved by the City Council in the *Affordable Housing Strategy* (June 2007) document prepared by RSG, the City's redevelopment consultant, as well as continuing with several ongoing efforts. These include continuing to ensure equal housing opportunities, and maintaining the quality of existing residential neighborhoods, among others.

#### **IV. REVIEW AND APPROVAL PROCESS**

The City Council Affordable Housing Subcommittee met on March 18, 2008 to discuss the Draft Housing Element. The Subcommittee found the document acceptable.

The Planning Commission is now being asked to consider the Housing Element at a noticed public hearing at which time members of the public will be provided with the first presentation of the Draft Housing Element. The Planning Commission is being asked to recommend to the City Council that the Draft Housing Element is acceptable to forward to the State Housing and Community Development Department (HCD) for its review and comment. Copies of the Draft Housing Element have been made available to the public via the City's website and are available

for public viewing at various locations throughout the City to obtain community input. A notice of availability of the document and a hearing notice regarding the Planning Commission public hearing have been placed in the Acorn and mailed to select City, regional, and affordable housing interest groups.

The City Council would then conduct a public hearing to receive comments from the public on the Draft Housing Element. The City Council will determine whether the document is acceptable to forward to HCD.

Once received, HCD can take up to 60 days to provide comments to the City. Any comments would then be considered by the City, and any necessary adjustments made. Once HCD finds the Housing Element adequate, it would be analyzed for potential environmental impacts pursuant to the California Environmental Quality Act (CEQA). The CEQA document would then be circulated for the required public comment period. At a noticed public hearing, the Planning Commission would be asked to review the final document, and recommend to the City Council that the document be adopted, and the CEQA document approved. The City Council would be the final decision making body adopting the Housing Element and CEQA document. Upon adoption, the Housing Element would be returned to HCD for certification. The City would then move forward with implementation of the Housing Element.

## **V. RECOMMENDATION**

Staff recommends that the Planning Commission receive public comments on the Draft Housing Element 2008-2014, and recommend to the City Council that the Draft Housing Element 2008-2014 be forwarded to the State Housing and Community Development Department for review and comment.

### ATTACHMENT

1. Draft Housing Element 2008-2014 (*already provided*)
2. State Income Limits for 2007

CASE PLANNER: Allison Cook, Senior Planner

State Income Limits for 2007

County	Income Category	Number of Persons in Household							
		1	2	3	4	5	6	7	8
<b>Los Angeles County</b> Area Median Income: <b>56,500</b>	Extremely Low	15,550	17,750	20,000	22,200	24,000	25,750	27,550	29,300
	Very Low Income	25,900	29,600	33,300	37,000	39,950	42,900	45,900	48,850
	Lower Income	41,450	47,350	53,300	59,200	63,950	68,650	73,400	78,150
	Median Income	39,600	45,200	50,900	<b>56,500</b>	61,000	65,500	70,100	74,600
	Moderate Income	47,500	54,200	61,000	67,800	73,200	78,600	84,100	89,500
<b>Madera County</b> Area Median Income: <b>51,500</b>	Extremely Low	10,800	12,350	13,900	15,450	16,700	17,900	19,150	20,400
	Very Low Income	18,050	20,600	23,200	25,750	27,800	29,850	31,950	34,000
	Lower Income	28,850	32,950	37,100	41,200	44,500	47,800	51,100	54,400
	Median Income	36,100	41,200	46,400	<b>51,500</b>	55,600	59,700	63,900	68,000
	Moderate Income	43,300	49,400	55,600	61,800	66,700	71,700	76,600	81,600
<b>Marin County</b> Area Median Income: <b>95,000</b>	Extremely Low	23,750	27,150	30,550	33,950	36,650	39,400	42,100	44,800
	Very Low Income	39,600	45,250	50,900	56,550	61,050	65,600	70,100	74,650
	Lower Income	63,350	72,400	81,450	90,500	97,700	104,950	112,200	119,450
	Median Income	66,500	76,000	85,500	<b>95,000</b>	102,600	110,200	117,800	125,400
	Moderate Income	79,800	91,200	102,600	114,000	123,100	132,200	141,400	150,500
<b>Mariposa County</b> Area Median Income: <b>51,800</b>	Extremely Low	10,900	12,450	14,000	15,550	16,800	18,050	19,300	20,550
	Very Low Income	18,150	20,700	23,300	25,900	27,950	30,050	32,100	34,200
	Lower Income	29,000	33,150	37,300	41,450	44,750	48,100	51,400	54,700
	Median Income	36,300	41,400	46,600	<b>51,800</b>	55,900	60,100	64,200	68,400
	Moderate Income	43,500	49,800	56,000	62,200	67,200	72,200	77,100	82,100
<b>Mendocino County</b> Area Median Income: <b>51,500</b>	Extremely Low	10,800	12,350	13,900	15,450	16,700	17,900	19,150	20,400
	Very Low Income	18,050	20,600	23,200	25,750	27,800	29,850	31,950	34,000
	Lower Income	28,850	32,950	37,100	41,200	44,500	47,800	51,100	54,400
	Median Income	36,100	41,200	46,400	<b>51,500</b>	55,600	59,700	63,900	68,000
	Moderate Income	43,300	49,400	55,600	61,800	66,700	71,700	76,600	81,600
<b>Merced County</b> Area Median Income: <b>51,500</b>	Extremely Low	10,800	12,350	13,900	15,450	16,700	17,900	19,150	20,400
	Very Low Income	18,050	20,600	23,200	25,750	27,800	29,850	31,950	34,000
	Lower Income	28,850	32,950	37,100	41,200	44,500	47,800	51,100	54,400
	Median Income	36,100	41,200	46,400	<b>51,500</b>	55,600	59,700	63,900	68,000
	Moderate Income	43,300	49,400	55,600	61,800	66,700	71,700	76,600	81,600
<b>Modoc County</b> Area Median Income: <b>51,500</b>	Extremely Low	10,800	12,350	13,900	15,450	16,700	17,900	19,150	20,400
	Very Low Income	18,050	20,600	23,200	25,750	27,800	29,850	31,950	34,000
	Lower Income	28,850	32,950	37,100	41,200	44,500	47,800	51,100	54,400
	Median Income	36,100	41,200	46,400	<b>51,500</b>	55,600	59,700	63,900	68,000
	Moderate Income	43,300	49,400	55,600	61,800	66,700	71,700	76,600	81,600
<b>Mono County</b> Area Median Income: <b>64,200</b>	Extremely Low	13,500	15,400	17,350	19,250	20,800	22,350	23,850	25,400
	Very Low Income	22,450	25,700	28,900	32,100	34,650	37,250	39,800	42,350
	Lower Income	35,950	41,100	46,200	51,350	55,450	59,550	63,650	67,800
	Median Income	44,900	51,400	57,800	<b>64,200</b>	69,300	74,500	79,600	84,700
	Moderate Income	53,900	61,600	69,300	77,000	83,200	89,300	95,500	101,600
<b>Monterey County</b> Area Median Income: <b>63,400</b>	Extremely Low	13,550	15,500	17,400	19,350	20,900	22,450	24,000	25,550
	Very Low Income	22,600	25,800	29,050	32,250	34,850	37,400	40,000	42,550
	Lower Income	36,100	41,300	46,450	51,600	55,750	59,850	64,000	68,100
	Median Income	44,400	50,700	57,100	<b>63,400</b>	68,500	73,500	78,600	83,700
	Moderate Income	53,300	60,900	68,500	76,100	82,200	88,300	94,400	100,500